

371-338

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

RECEIVED JUN 19 2000

JOSE M. LORIE VELASCO, et al., \*  
Plaintiffs, \*  
v. \* CIVIL NO. 98-1867 (CCC)  
KMART CORPORATION, \*  
Defendants, \*  
Third Party Plaintiff, \*  
v. \*  
GROUP SERVICE SYSTEM, et al., \*  
Third Party Defendant. \*

\*\*\*\*\*

Deposition of:

JOSE M. LORIE VELASCO

taken on May 19, 2000 at Law Offices Ramírez Lavandero, Landrón  
& Vera, LLP, 151 Fortaleza Street, Suite PH-2, Old San Juan,  
Puerto Rico.

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EXHIBIT 2

1 aisle and then, after a few feet that I walked in, I slipped.  
2 The floor was very--extremely slippery in there, in that area  
3 and I slipped and I fell.

4 Q Were you using the cane at that time?

5 A I was holding it, yes.

6 Q Holding it means you were using it or---

7 A Yes, I was using it. I was using it, yes.

8 Q With your right hand?

9 A Yes.

10 Q Could you tell me what type of merchandise was in  
11 that aisle where you fell? What was the type of merchandise  
12 that you were--that was on both sides of the aisle?

13 A I don't recall, you know, because just a few seconds  
14 after I started, I fell, you know. I don't recall what  
15 particular--I was just--I was following him.

16 Q Okay. You have mentioned that it was slippery. Did  
17 you notice anything strange about the floor before, during or  
18 after the accident?

19 A Before, I didn't notice anything.

20 Q And afterwards?

21 A I noticed that the floor was in that area, was very,  
22 very, very shiny and very, very slippery.

23 Q Did you notice any substance or any kind of substance  
24 which made it slippery?

25 A I could feel that there was a substance. I cannot

1 tell what, but it was not wet, it was not wet, but there was,  
2 there was something transparent that it was--it was--it's very  
3 slippery.

4 Q You said that you could feel it. How do you--how  
5 could you feel it, did you touch it?

6 A Yes, I touched it.

7 Q With your hand?

8 A With my hand.

9 Q When did you touch it?

10 A During the time that I was lying on my back on the  
11 floor.

12 Q How did you fell? How did you slip and fell?  
13 Describe to me that--the motions that occurred in that fall.

14 A I fell and I fell backwards.

15 Q Yeah, but you know, you fall and sometimes if you  
16 fall with both feet, you just slip with one foot, you--what  
17 happened?

18 A I fell. I slipped. I slipped and I fell.

19 Q How did you slip?

20 A How did I slip? I slipped because the floor---

21 Q No, no, no, no; how? Not why.

22 A How?

23 Q Yeah.

24 A You slip because the--I lost my feet in that area  
25 where I was walking where the floor was slippery.